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S/N 10/777,461

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Erika Hawkins et al.	Examiner:	Unknown
Serial No.:	10/777,461	Group Art Unit:	1651
Filed:	February 12, 2004	Docket:	341.022US1
Title:	COMPOSITIONS AND METHODS TO QUENCH LIGHT FROM OPTICAL REACTIONS		

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Three of the attached documents were discovered as a result of a Search Report in Applicants' corresponding foreign patent application. Enclosed for the Examiner's information is a copy of the cited documents and the Search Report.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

INFORMATION DISCLOSURE STATEMENT

Serial No :10/777,461

Filing Date: February 12, 2004

Title: COMPOSITIONS AND METHODS TO QUENCH LIGHT FROM OPTICAL REACTIONS

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

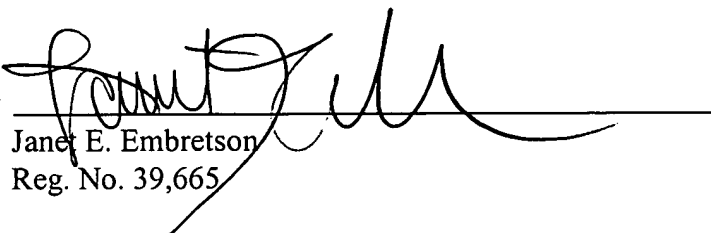
The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

Respectfully submitted,

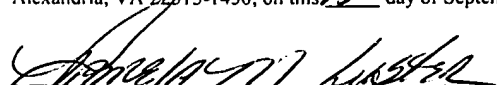
ERIKA HAWKINS ET AL.

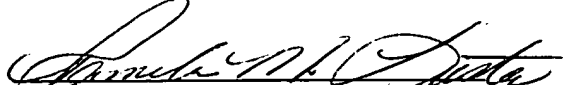
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6959

Date September 14, 2004 By 
Janet E. Embretson
Reg. No. 39,665

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15 day of September, 2004.


Name


Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Erika Hawkins et al.
Title: COMPOSITIONS AND METHODS TO QUENCH LIGHT FROM OPTICAL REACTIONS
Docket No.: 341.022US1 Serial No.: 10/777,461
Filed: February 12, 2004 Due Date: N/A
Examiner: Unknown Group Art Unit: 1651

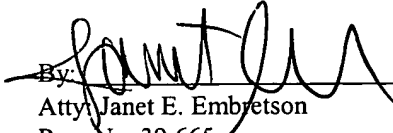
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We are transmitting herewith the following attached items (as indicated with an "X"):

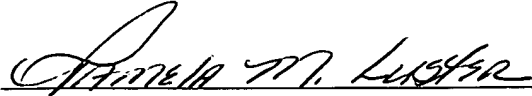
- A return postcard.
- A Communication Concerning Related Applications (1 pg.).
- An Information Disclosure Statement (2 pgs.), Form 1449 (3 pgs.), and copies of 28 cited documents.
- The International Search Report from International Application No. PCT/US2004/004075 (4 pgs.).

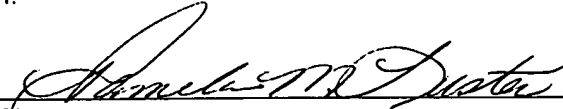
Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Customer Number 21186

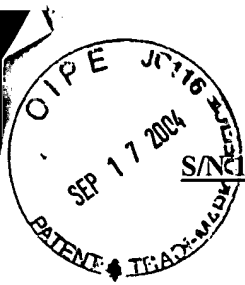
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Atty. Janet E. Embretson
Reg. No. 39,665

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Name


Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
(GENERAL)



S/N 10/777,461

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COMMUNICATION CONCERNING RELATED APPLICATION(S)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related application(s) in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
09/590,884	June 9, 2000	341.014US1	METHOD FOR INCREASING LUMINESCENCE ASSAY SENSITIVITY
10/692,587	October 24, 2003	341.014US2	METHOD FOR INCREASING LUMINESCENCE ASSAY SENSITIVITY

Respectfully submitted,

ERIKA HAWKINS ET AL.

By Applicants' Representatives,

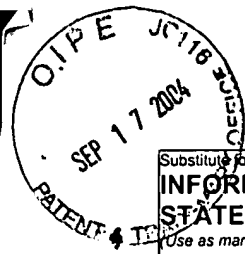
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6959

Date September 15, 2004 By Janet E. Embretson
Janet E. Embretson
Reg. No. 39,665

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Andrew M. Luster
Name

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Substitute for form 1449A/PTO
INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Use as many sheets as necessary)

<i>Complete if Known</i>	
Application Number	10/777,461
Filing Date	February 12, 2004
First Named Inventor	Hawkins, Erika
Group Art Unit	1651
Examiner Name	Unknown

Sheet 1 of 3 Attorney Docket No: 341.022US1

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-4,235,961	11/25/1980	Lundin, Arne T.	435	8	06/21/1979
	US-4,390,274	06/28/1983	Berthold, Fritz , et al.	356	36	01/10/1980
	US-5,096,825	03/17/1992	Barr, Philip J., et al.	435	255	01/05/1987
	US-5,106,732	04/21/1992	Kondo, Koichi , et al.	435	28	02/14/1990
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	US-6,602,658	08/05/2003	Bronstein, Irena I., et al.	435	4	04/22/1999

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Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T ²
	EP-0247796	12/02/1987	Davis, Paul J., et al.	G01N	33/546	
	EP-0437013	07/17/1991	Smith, David F., et al.	G01N	33/58	
	EP-054675 with English Abstract	06/30/1982	Evanega, George R., et al.	G01N	33/54	
	EP-342024	11/15/1989	Blomberg, Fred	G01N	33/58	
	EP-610937	08/17/1994	Scheier, Winfried	C12Q	1/66	
	JP-07-067696 with English Abstract	03/14/1995	Yoshitami, Mitoma , et al.	C12Q	01/28	
	JP-10-87621 with English Abstract	04/07/1998	Maeda, Masako	C07D	211/76	
	JP-3-167288 with English Abstract	07/19/1991	Inoue, Satoshi	C09K	11/06	
	WO 00/36098A1	06/22/2000	Bronstein, I., et al.	C12N	9/38	

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DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)
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	Application Number	10/777,461
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	First Named Inventor	Hawkins, Erika
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Sheet 2 of 3	Attorney Docket No: 341.022US1	

FOREIGN PATENT DOCUMENTS

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	WO 92/04468	03/19/1992	Wood, Keith V.	C12Q	1/66	
	WO 95/18853	07/13/1995	Wood, Keith V., et al.	C12N	9/02	
	WO 99/14336	03/25/1999	Wood, Keith V., et al.	C12N	15/53	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		BENZAKOUR, O , et al., "Evaluation of the Use of the Luciferase-Reporter-Gene System for Gene-Regulation Studies Involving Cyclic AMP-Elevating Agents.", <u>Biochem. J</u> , 309 (Pt 2), (July 15, 1995),385-387	
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		COKER, G T., et al., "8-Br-cAMP Inhibits the Transient Expression of Firefly Luciferase", <u>FEBS Letters</u> , 249, (1989),183-185	
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		DENBURG, J , et al., "Substrate-binding properties of firefly luciferase. I. Luciferin-binding site.", <u>Archives of Biochemistry & Biophysics</u> , 134(2), (November 1969),381-94	
		LEE, REIKO T., "Substrate-Binding Properties of Firefly Luciferase", <u>Archives of Biochemistry and Biophysics</u> , 141(1), (1970),38-52	
		LUCAS, M. , et al., "Coelenterazine Is a Superoxide Anion-Sensitive Chemiluminescent Probe: Its Usefulness in the Assay of Respiratory Burst in Neutrophils", <u>Analytical Biochemistry</u> , 206(2), (November 1, 1992),273-277	
		MCELROY, WILLIAM D., "Factors Influencing the Response of the Bioluminescent Reaction to Adenosine Triphosphate", <u>Archives of Biochemistry and Biophysics</u> , 22, (1949),420-433	
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		SHERF, B A., et al., "Firefly Luciferase Engineered for Improved Genetic Reporting", <u>Promega Notes Magazine</u> , Number 14,(1994),	

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Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional) ² Applicant is to place a check mark here if English language Translation is attached

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	First Named Inventor	Hawkins, Erika
	Group Art Unit	1651
	Examiner Name	Unknown
Sheet 3 of 3	Attorney Docket No: 341.022US1	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-Issue number(s), publisher, city and/or country where published.	T ²
		TARPEY, M. M., et al., "Chemiluminescent detection of oxidants in vascular tissue. Lucigenin but not coelenterazine enhances superoxide formation", <u>Circulation Research</u> , 84(10), (May 28, 1999),1203-1211	
		TERANISHI, K. , et al., "Coelenterazine analogs as chemiluminescent probe for superoxide anion", <u>Analytical Biochemistry</u> , 249(1), (June 15, 1997),37-43	
		THORPE, G H., et al., "Enhanced chemiluminescent reactions catalyzed by horseradish peroxidase", <u>Methods in Enzymology</u> , 133, (1986),331-53	
		WARD, "Chemi-and Bioluminescence (ed. John Burr) Marcel Dekker, Inc., New York", <u>Proceedings of the VIth International Symposium on Bioluminescence and Chemiluminescence</u> , Cambridge, September 1990,(1985),321-358	

EXAMINER

DATE CONSIDERED